

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30243 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- ADAPUR District- East Champaran

Sheikh Rashid @ Rashid Anwar Son of Sheikh Mujahir Resident of village- Bhawanipur Mauje, Ward No. 6, P.S.- Nakardei, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar BIhar
2. Shri NIwash Rai Son of Motilal Rai Resident of village- Bhawanipur Mauje, Ward No. 6, P.S.- Nakardei, District- East Champaran, Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Adv.
For the Informant	:	Mr. Prateek Tanda, Adv.
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Aadapur P.S. Case No. 22 of 2024 dated 19.01.2024 registered for the offence/s punishable u/ss 363, 366A read with section 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant for the purpose of wrong doing and also took Rs. 50,000/- from his



house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the victim did not raise any alarm while she was being taken away to Delhi. It is further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and stated that it is a case of kidnapping of minor girl.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Motihari, East Champaran in connection with Aadapur P.S. Case No. 22 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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